

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

K.C., *et al.*,

Plaintiffs,

v.

THE INDIVIDUAL MEMBERS OF THE
MEDICAL LICENSING BOARD OF
INDIANA, in their official capacities, *et al.*,

Defendants.

No. 1:23-cv-00595-JPH-KMB

Joint Motion to Adjourn Case Management Deadlines and Continue Final Pretrial Conference and Trial

The parties, by their counsel, jointly move for a 90-day adjournment of deadlines in the case management plan and a new trial date. The parties jointly propose new deadlines.

1. The case management plan sets forth the following deadlines. ECF No. 84.

- Nonexpert discovery closes on March 5, 2024.
- Plaintiffs serve expert disclosures by April 5, 2024.
- Defendants serve expert disclosures by May 6, 2024.
- Plaintiffs serve any rebuttal expert disclosures by May 27, 2024.
- Dispositive motions must be filed by June 5, 2024.
- Parties serve final witness and exhibit lists by June 5, 2024.

2. The Court issued an order setting final pretrial conference for October 9, 2024, and the bench trial to begin on November 4, 2024. ECF No. 94.

3. Pursuant to Local Rules 7-1 and 16-1(f), the parties move for a 90-day adjournment of the deadlines in the case management plan and a new trial date. Good cause supports this adjournment of deadlines. The parties are diligently conducting party and third-party discovery.

Even with these diligent efforts, the parties require additional time to allow for document production and meet and confer regarding any objections. Three third parties that have received document subpoenas have indicated that they require additional time to respond. The parties have been heavily engaged with other matters as well, including preparations for the Seventh Circuit argument in the appeal from this Court's preliminary injunction, which is set for February 16, 2024, shortly before the end of the discovery period.

4. Extending the discovery period in the case management plan also necessitates resetting the dispositive-motions deadline and trial date, which the Court's practices and procedures guidelines state "should be at least 180 days after" the dispositive motion deadline. ECF No. 12 at 5.

5. The parties propose the following new deadlines for discovery and dispositive-motions deadlines, extending each deadline 90 days (rolling over any deadlines falling on weekends or holidays) and setting a cross-motion schedule for dispositive motions.

- Nonexpert discovery closes on June 3, 2024.
- Plaintiffs serve expert disclosures by July 5, 2024.
- Defendants serve expert disclosures by August 5, 2024.
- Plaintiffs serve any rebuttal expert disclosures by August 26, 2024.
- Parties serve final witness and exhibit lists by September 3, 2024.
- Plaintiffs' motion for summary judgment must be filed by September 3, 2024.
- Defendants' motion for summary judgment and response to Plaintiffs' motion for summary judgment must be filed by October 3, 2024.
- Plaintiffs' response to Defendants' motion for summary judgment and reply in support of Plaintiffs' motion for summary judgment must be filed by November 4, 2024.

- Defendants' reply in support of Defendants' motion for summary judgment must be filed by November 25, 2024.

6. The parties also request that the Court vacate the current final pretrial conference and trial dates and set trial for a new date at least 180 days after the dispositive-motion deadline.

WHEREFORE, the parties submit their proposed joint schedule and request that the Court approve the schedule and continue the final pretrial conference and trial.

Respectfully submitted,

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